

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
CHRISTOPHER SEARLES, :
:
Plaintiff, : 21cv5444 (DLC)
:
-v- : ORDER
:
JOYCE ROBERT, M.D. and MT. SINAI HEALTH:
SYSTEM, INC., :
:
Defendants. :
:
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DENISE COTE, District Judge:

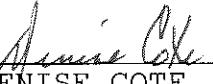
On June 21, 2021, the above-captioned action was removed from New York Supreme Court by defendant Joyce Robert, M.D. On September 3, the United States Attorney for the Southern District of New York filed a motion on behalf of Dr. Robert to substitute the United States as defendant and dismiss the complaint for lack of subject matter jurisdiction pursuant to Rule (12) (b) (1), Fed. R. Civ. P. The plaintiff was given an opportunity to amend the complaint and declined to do so. The motion became fully submitted on November 8. For the reasons stated in the government's submissions, it is hereby

ORDERED that the motion is granted. The above-captioned action is dismissed for lack of subject matter jurisdiction.

The Clerk of Court is ordered to close the case.

SO ORDERED:

Dated: New York, New York
November 10, 2021



DENISE COTE
United States District Judge